

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

SAMUEL BANKMAN-FRIED,
a/k/a “SBF,”

Defendant.
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S3 22 Cr. 673 (LAK)

[PROPOSED] ORDER

WHEREAS the parties in this case have been engaged in active discussions to come to an agreement on a set of proposed modifications to the Defendant’s existing bail conditions to address certain issues raised by the Court;

WHEREAS the parties anticipate being able to present the Court with a proposed order outlining these conditions by the week of March 20, 2023;

WHEREAS the Defendant, in the meantime, needs access to the FTX transactional database (the “AWS Database”), which was provided in the criminal discovery, to prepare his defense;

WHEREAS access to the AWS Database requires the use of a Virtual Private Network (“VPN”), which the Defendant is currently prohibited from using under the existing bail conditions;

IT IS HEREBY ORDERED that the Defendant’s bail conditions will be modified as follows:

1. The Defendant will be given access to a laptop computer (the “Laptop”) that will be configured to allow him to access the AWS Database via a secure VPN connection, pursuant to the following conditions:

- a. The Laptop will be owned and controlled by Cohen & Gresser and will not be one of Mr. Bankman-Fried's personal devices.
- b. When Mr. Bankman-Fried wishes to use the Laptop, an attorney or paralegal from Cohen & Gresser will bring the Laptop to Mr. Bankman-Fried's residence, remain with Mr. Bankman-Fried while he uses the Laptop, and take back the Laptop and remove it from the residence when he is finished.
- c. Mr. Bankman-Fried may use the Laptop only to query, review, and analyze the data in the AWS Database, and share those results with his counsel and others on the defense team.
- d. For those purposes, the Laptop will be installed with the Microsoft 11 operating system and its associated programs and will be loaded only with the following additional applications and programs:
 - i. AWS VPN client (to access the AWS Database);
 - ii. pgAdmin (PostgreSQL tool to query the AWS Database);
 - iii. Microsoft Office, including Microsoft Word, Excel, and Access (to create documents and analyze data);
 - iv. Adobe Acrobat Reader (to read documents in .pdf format);
 - v. 7zip (to create zip files to transfer large files);
 - vi. Google Chrome (to send files to the defense team via Mr. Bankman-Fried's Gmail account or via the Cohen & Gresser ShareFile site); and

- vii. A remote access support tool (for remote support by Cohen & Gresser).
 - e. If requested, Cohen & Gresser will provide the Government with device-specific identifying information for the Laptop.
- 2. Apart from this modification, the Defendant's existing bail conditions will remain in effect.

SO ORDERED.

Dated: March ____, 2023
New York, New York

The Honorable Lewis A. Kaplan
United States District Judge